IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 2651 of 2007(N)

PETITIONER:

A.P. MOHAMMED ASIF, S/O. UMMERKUTTY,
AGED 27, AJISAS, THALASSERY-1.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF FOOD AND CIVIL SUPPLIES, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, KANNUR.

3. THE COMMISSIONER,
CIVIL SUPPLIES, THIRUVANANTHAPURAM.

4. K.P. MUMTHAS,
MUMTHAS MANZIL, KRIMBAM P.O.,
NEAR WATER TANK, TALIPARAMBA.

R1 TO R3 BY GOVT. PLEADER SMT.ANU SIVARAMAN.
BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.2651 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the order of appointment as an authorized distributor, AWD No.3 dtd.9.12.2004.

Ext.P2: Copy of the proceedings of the Taluk Supply Officer, Taliparamba, dtd.28.12.2004.

Ext.P3: Copy of the order of remand dtd.29.3.2005.

Ext.P4: Copy of the order dtd.4.7.2005 passed by the 1st respondent.

Ext.P5: Copy of the Appeal Memorandum dtd.8.9.2005.

Ext.P6: Copy of the written submission dtd.16.3.2006 filed by the petitioner before R3.

Ext.P7: Copy of the order of R4 dtd.30.3.2006.

Ext.P8: Copy of the Revision Petition dtd.24.4.2006.

Ext.P9: Copy of the certificate dtd.21.12.2006.

Ext.P10: Copy of the order dtd.16.1.2007.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 2651 OF 2007 - N

Dated this the 29th day of June, 2007

J U D G M E N T

The petitioner and the fourth respondent have been found eligible for appointment as Authorised Wholesale Distributors. However, the fourth respondent is preferred as A.W.D.No.3 in Taliparamba Taluk by an order of the third respondent (Ext.P7) in an appeal preferred by the fourth respondent which is confirmed by Ext.P10 order passed by the first respondent in a revision filed by the petitioner. Both orders are challenged in this writ petition.

2. Now the fourth respondent has filed an affidavit stating that she does not have any objection in allowing the prayer in the writ petition and that she does not intend to function as A.W.D. in Taliparamba Taluk and she further submits that the petitioner may be permitted to continue functioning as A.W.D.

3. In the above circumstances, the first respondent is directed to consider the case in the light of

the affidavit filed by the fourth respondent as above. This shall be done within a period of one month from the date of receipt of a copy of this judgment. Till then status quo as on today shall be maintained.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007